





Attorney Docket No.: 014940-002410US

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Assistant Commissioner for Patents

Washington, D.C. 20231

On 5/13/02

TOWNSEND and TOWNSEND and CREW LLP

HORACE H. NG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kent Ryhorchuk et al.

Application No.: 10/045,587

Filed: November 6, 2001

For: FAULT DETECTION AND ISOLATION IN AN OPTICAL

NETWORK

Examiner:

Unassigned

Art Unit:

2633

RESPONSE TO NOTICE TO FILE

MISSING PARTS

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts dated March 12, 2002,

Applicants hereby submit the following documents:

- (1) substitute specification and drawings; and
- (2) declaration

It is hereby stated that the substitute specification and drawings submitted herewith are a true copy of the application that was filed on November 6, 2001 and that, as such, they do not contain any new matter.

PATENT

Attorney Docket No.: 014940-002410US

Page 2

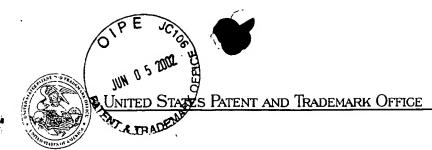
If a telephone conference would help expedite this matter, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

Horace H. Ng Reg. No. 39,315

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, 8th Floor San Francisco, California 94111-3834 Tel: (415) 576-0200 Fax: (415) 576-0300

HHN[^] SF 1345960 v1





COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231 www.uspto.gov

APPLICATION NUMBER -

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/045,587

11/06/2001

Kent Ryhorchuk

014940-002410US

CONFIRMATION NO. 9311

20350 TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER

EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834 **FORMALITIES LETTER**

OC000000007623344

Date Mailed: 03/12/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by 節lling a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- · The statutory basic filing fee is missing. Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$246.
 - **\$162** for **9** total claims over 20.
 - \$84 for 1 independent claims over 3.
- The oath or declaration is missing.
 - A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1116.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52 because:
 - The specification cannot be scanned or properly stored. Page(s)
 - o Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and

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white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photooffset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 11.12.and 29 are not in compliance with 37 CFR 1.52(a). The drawings filed are unacceptable because: Replacement page(s), together with a statement that the replacement page(s) contain no new matter, are required.

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
 - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.
 - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));

A copy of this notice MUST be returned with the reply. Initial Patent Examination Division (703) 308-1202 PART 2 - COPY TO BE RETURNED WITH RESPONSE U

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COPY OF PAPERS ORIGINALLY FILED

T.D # 8 Non Publication
PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box -

Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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	(abbe used for all correspondence after initial filing)			Filing	Date	November 6, 2001					
Λ				First Named Inventor		Ryhorchuk, Kent					
\setminus				Group Art Unit		2633					
7				Examiner Name							
1				Attorney Docket Number		014940-002410US					
	Fee Transmittal Form		Assignment Papers (for an Application)		After Allowance Communication to Group						
	Fee Attached		☑ Drawing(s) (21 pages)		Appeal Communication to Board of Appeals and Interferences						
	Amendment / Response		Licensing-related Papers		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)						
	After Final		Petition Routing Slip (PTO/SB/69) and Accompanying Petition		Proprietary Information						
	Affidavits/declaration(s)		Petition to Convert to a Provisional Application			Status Letter					
-H -F''''' H	Extension of Time Request		Power of Attorney, Revocation Change of Correspondence Address				Enclosure(s) identify below):				
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, (f#	SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT										
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	and Individual name Hora	Horace H. Ng Reg. No. 39,315									
	Signature	/ Sth									
	Date	5/13/02									
4		CERTIFICATE OF MAILING									
	I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:										
	Typed or printed name	yped or printed name Horace H. Ng									
	Signature		/ Aship				5/13/02				

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Horace H. Ng Registration No. (Attorney/Agent)	39,315	Telephone	415-576-0200
Signature	TAH-		Date	5/13/02

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